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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/634,041	08/08/2000	Frederick W. Ryan JR.	F-175	5187

919 7590 12/16/2004

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EXAMINER

FISCHETTI, JOSEPH A

ART UNIT	PAPER NUMBER
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3627

28

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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121504

DATE MAILED:

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Commissioner for Patents

Art Unit: 3627

This communication is for the purpose of clarifying the record of the instant application. As indicated by the Board of Patent Appeals and Interferences, in their returning of the undocketed Appeal to the examiner in the letter dated November 26, 2004, the application file contents listed a Petition under 1.181 (Paper No. 20) filed June 13, 2003 and a Letter Rescinding the Abandonment (Paper No. 25) filed August 13, 2003 but neither of these documents were found within the file wrapper. In an effort to resolve these omissions a call was placed to Mr. Ronald Reichman, attorney of record in the instant application, on December 14, 2004. Mr. Reichman reviewed his file and was unable to locate either of the documents in question. The Petition decision dated June 30, 2003 makes it clear that a Petition under 1.181 to withdraw a holding of abandonment was considered and dismissed. A further Petition under 1.137(b) was filed on July 29, 2003 to revive the abandoned application and was granted in the decision dated July 31, 2003. As such the record appears to be as complete as possible and the missing document is not seen to impact the file. As for the Rescind Letter date August 13, 2003, it is most likely that this letter never existed. This entry has been voided on the file wrapper. It is common practice for our technical support staff to do a Rescind Abandonment transaction in PALM in order to move an application back to pending status and normally there is no contents entry made on the file jacket. In this case it appears that the LIE accidentally entered the transaction on the file jacket.

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There is no requirement for the applicant to respond to this communication. This letter is only being provided to supply the needed clarification as required by the Board of Patent Appeals and Interferences.

 12/15/04

ROBERT P. OLSZEWSKI
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